



# OFFICE OF THE CITY CLERK ▪ CITY OF BINGHAMTON

*Teri Rennia, City Council President*

*Angela Holmes, City Clerk*

---

## BOARD OF ESTIMATE AND APPORTIONMENT

### MEETING MINUTES

DPW Conference Room, 3<sup>rd</sup> Floor City Hall

Wednesday August 28, 2013

**Call to Order.** Called to order at 11:18am by Matthew T. Ryan, Mayor.

**Present:** Matthew T. Ryan, Mayor; Charles Pearsall, Comptroller; Kenneth J. Frank, Corporation Counsel; Philip T. Krey, City Engineer; Luke Day, Commissioner of Public Works

**Absent:** None

**Also Present:** Michael Dervay, Purchasing Agent; Angela Holmes, City Clerk; Gerald Kennicutt, Deputy Comptroller

### ITEMS CONSIDERED

**37 Pine Street (Greenman Senior Center).** Proposal for purchase 37 Pine Street and 23 Pine Street (Greenman Senior Center property) for \$105,000, less broker fees of six percent of purchase price, submitted by Gemini Construction Management, LLC. The proposed purchase price included all building contents (kitchen items, appliances, pool tables, etc.). Kenneth J. Frank contacted the applicant, who clarified that the estimated price for the contents of the building would be \$10,000. In addition, the applicant intends to pay the broker's fee. Michael Dervay, Purchasing Agent, was contacted by a representative from Tranquil Bar & Bistro, who expressed interest in touring the building to determine if an offer should be made. Item held.

**72 Court Street.** Offer to Purchase 72 Court Street for \$1, submitted by 33 State Street Associates on August 1, 2013. Sent to the Assessor's Office, the Office of Building Construction, Zoning & Code Enforcement and the Department of Planning, Housing & Community Development on August 2, 2013. Tom Costello responded on August 2, 2013, stating that he is not in favor of this offer, submitted without a plan for development that addresses the primary use for the proposed purchase and related impact on adjacent parcels. In addition, the proposed purchase price seems unrealistic. Scott Snyder responded on August 7, 2013 stating that he agreed with Tom Costello's recommendations. Tarik Abdelazim responded on August 21, 2013, stating that so long as Building and Engineering concerns are addressed (detailed plan with fire safety issues raised, investigation of right-of-way issues, higher sales price), PHCD has no objections to the sale, as the future use of the lot as a downtown park would still be feasible. Philip T. Krey met with Allan Pope, representing both owners of the two adjoining buildings, and discussed the installation of a fire escape. The Board discussed maintaining the parcel as a separate lot, in case the larger portion of 72 Court Street is developed at a future date, with the added condition that the parcel would be re-conveyed to the City for the same purchase price should development of the larger parcel take place. Corporation Counsel will consult with the Assessor regarding the purchase price. Item held.

**17 Harding Avenue.** Offer to Purchase 17 Harding Avenue for \$50, submitted by Matthew and Marcie Michalek on June 28, 2013. Sent to the Assessor's Office, the Office of Building Construction, Zoning & Code Enforcement and the Department of Planning, Housing & Community Development on June 28, 2013. Property went to June 2013 Broome County auction. Winning bidder declined to purchase property. Tarik Abdelazim responded on July 1, 2013, supporting the sale. Tom Costello responded on July 1, 2013, supporting the sale. Sale approved by E&A on July 3, 2013. Later clarification showed that the applicants are not the adjoining property owners. Corporation Counsel sent a letter to the owner of the adjoining developed lot, asking him to respond by the end of August if he is interested in purchasing the

City Hall ▪ 38 Hawley Street ▪ Binghamton, NY 13901 ▪ [www.cityofbinghamton.com](http://www.cityofbinghamton.com)

Phone: (607) 772-7005 ▪ Fax: (607) 772-7155



## OFFICE OF THE CITY CLERK ▪ CITY OF BINGHAMTON

*Teri Rennia, City Council President*

*Angela Holmes, City Clerk*

property. The owner of adjoining development lot responded, with no interest in purchasing the property. The sale of 17 Harding Avenue to Matthew and Marcie Michalek will proceed, and is scheduled to be considered by Binghamton City Council at the Business Meeting held on September 4, 2013.

**Approval of Minutes.** Motion to approve the minutes from the Board of Estimate and Apportionment meetings held on August 21, 2013.

Moved by Krey, seconded by Pearsall.

**Motion carried. (Vote 5-0)**

Ayes: Ryan, Pearsall, Frank, Krey, Day

Nays: None

**9 Way Street.** Offer to Purchase 9 Way Street for \$100, submitted by Kenneth Johnson on August 8, 2013. Sent to the Assessor's Office, the Office of Building Construction, Zoning & Code Enforcement and the Department of Planning, Housing & Community Development on August 9, 2013. Tarik Abdelazim responded on August 9, 2013, stating that PHCD recommends a rejection of the offer. PHCD is planning the demolition of the parcel, and will offer the property to the individual who won the One Dollar Healthy Home RFP with the redevelopment proposal of 11 & 13 Way Street. Scott Snyder and Tom Costello responded on August 9, 2013, supporting PHCD's recommendations. Item held.

**9 Way Street.** Offer to Purchase 9 Way Street for \$1, submitted by James M. Rock on August 22, 2013. Applicant currently owns 5-7 Way Street, and would like to extend his garden. Applicant is offering the sale of 29 & 31-3 Virgil Street to the City for \$1, in exchange for the sale of 9 Way Street for \$1, provided that the City demolishes the existing structure and grades the parcel. The City would then own five adjoining parcels on Virgil Street & Liberty Street. Sent to the Assessor's Office, the Office of Building Construction, Zoning & Code Enforcement and the Department of Planning, Housing and Community Development on August 23, 2013. Scott Snyder responded on August 23, 2013, stating that he will defer to PHCD's recommendation. Tarik Abdelazim responded on August 23, 2013, and expressed concern about the proposal. Abdelazim stated that there are two blighted structures on 28 & 31-3 Virgil Street. He is willing to meet with the applicant, but would prefer splitting 9 Way Street between the applicant and Sarah Edwards, who had the winning \$1 proposal for 11-13 Way Street. The Board requested that Abdelazim meet with the applicant to discuss this proposal, and to confirm Sarah Edwards' interest in the property. Item held.

**32 Evans Street.** Offer to Purchase 32 Evans Street for \$1, submitted by Kraig M. Brigham, Jr. on August 22, 2013. Sent to the Assessor's Office, the Office of Building Construction, Zoning & Code Enforcement and the Department of Planning, Housing and Community Development on August 23, 2013. Scott Snyder responded on August 23, 2013, stating that he will defer to PHCD's recommendation. Tarik Abdelazim responded on August 23, 2013, stating that the applicant submitted the winning \$1 proposal for 23 Alfred Street, adjacent to 32 Evans Street. The applicant intends to build a single-family home at 23 Alfred Street, and mentioned potential inclusion of 32 Evans Street in his redevelopment plans. PHCD supports the sale with two conditions: (a) PHCD must review the plans for 32 Evans Street first; and (2) the sales price should be consistent with sales prices for other vacant lots, \$100-\$500. Angela Holmes will contact the applicant and request the site plan. Item held.

**29 Munsell Street.** Richard Woodruff, owner of 27 Munsell Street, called on August 23, 2013, expressing interest in 29 Munsell Street for additional yard space. He submitted an Offer to Purchase in 2011 which was rejected. The Department of Planning, Housing and Community Development recommended retaining the parcel for potentially larger private development. The applicant called to see if the City's position has changed. Tarik Abdelazim responded on August 23, 2013, stating that he would support a one-year lease, with the option of annual renewal, as it may be a few



## OFFICE OF THE CITY CLERK ▪ CITY OF BINGHAMTON

*Teri Rennia, City Council President*

*Angela Holmes, City Clerk*

---

years before the City is able to assemble enough parcels to solicit redevelopment proposals. If the Board of Estimate and Apportionment agrees to a lease, Abdelazim would recommend that the parcel be kept as green space, with no structures, pavement or fencing. The Board requested that this proposal be shared with the applicant, and requested a formal proposal if the applicant is interested.

**Budget Transfer.** Request to transfer \$15,000 from budget line A1490.51000 (Personal Services) to budget line A1490.51000 (Personal Services), removing funding for the position of 2<sup>nd</sup> Deputy Commissioner of Public Works and funding the position of Superintendent of City Streets. Submitted by Luke Day, Commissioner of Public Works.

Motion to approve transfer.

Moved by Pearsall, seconded by Krey.

**Motion carried. (Vote 5-0)**

Ayes: Ryan, Pearsall, Frank, Krey, Day

Nays: None

**Adjournment.** Motion to adjourn at 11:36am.

Moved by Krey, seconded by Day.

**Voice vote, none opposed.**